S.B.CRIMINAL MISC. BAIL APPLICATION NO.2725/2006

Date : 07.07.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. R.S. Chundawat for the applicants.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that Police has registered a case on the basis of FIR lodged by Gopal Dhakad, brother of the lady, who is wife of present applicant Sukha. He submits that Smt. Geeta is legally wedded wife of applicant Sukha and Smt. Geeta accompanied applicant with her consent. Otherwise also, a husband can take his wife with him anywhere.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me.

Taking into consideration overall facts and circumstances of the present case, I think it just and proper to grant anticipatory bail to the applicants. Accordingly, it is directed that in the event of arrest of applicants (1)Sukha son of Gopal Dhakad (2) Shankerlal son of Bhrua Dhakad (3) Badri Lal son of Hazari Das Vaishnawa (4) Ladu son of Mangu Dhakad (5) Ishwar son of Heera Dhakad (6)Bhopal Singh son of Fouj Singh Rajput (7) Banshi Lal son of Gopi (8) Kalu son of Gheesa Dhakad and (9) Madhu son of Deva Dhakad by I.O./S.H.O.in FIR No.110/2006 P.S. Mandalgarh, Bhilwara, they shall be released on bail provided each of them furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.